

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WENDI MONTOYA,

Plaintiff,

v.

VOYA INSURANCE AND ANNUITY  
COMPANY, VENERABLE INSURANCE  
AND ANNUITY COMPANY, VOYA  
RETIREMENT INSURANCE AND  
ANNUITY COMPANY, VOYA  
FINANCIAL PARTNERS LLC, VOYA  
FINANCIAL ADVISORS, INC, VOYA  
INSTITUTIONAL PLAN SERVICES LLC,  
VOYA INSURANCE SOLUTIONS INC,  
VOYA RETIREMENT ADVISORS, LLC,  
VOYA INVESTMENT MANAGEMENT  
CO LLC, VOYA SERVICES COMPANY,  
VOYA BENEFITS COMPANY LLC,  
FIDELITY INVESTMENTS  
INSTITUTIONAL OPERATIONS  
COMPANY LLC, FIDELITY  
DISTRIBUTORS COMPANY LLC,  
FIDELITY BROKERAGE SERVICES  
LLC,

Defendants.

CASE NO. 2:21-cv-00696-RAJ-BAT

**~~PROPOSED~~ ORDER GRANTING  
MOTION TO DISMISS OF  
VENERABLE INSURANCE AND  
ANNUITY COMPANY**

1 Having reviewed the Report and Recommendation of the Honorable Brian A. Tsuchida,  
2 United States Magistrate Judge, any objections or responses to that, and the remaining record,  
3 the Court finds and **ORDERS**:

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5 (1) The Court **ADOPTS** the Report and Recommendation.  
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7 (2) Defendant Venerable Insurance and Annuity Company's Motion to Dismiss (Dkt.  
8 30) is **GRANTED**; Plaintiff's First Amended Complaint is **DISMISSED with prejudice**.

9 (3) The Clerk is directed to send copies of this Order to the parties and to Judge  
10 Tsuchida.

11 Dated this 11th day of January, 2022.

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14 The Honorable Richard A. Jones  
15 United States District Judge  
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